

## NOTE FROM THE EDITOR

The *Alaska Law Review* proudly presents this second issue in our twenty-seventh volume. The following pages feature a diverse set of legal scholarship on issues pertinent to Alaska. Careful thought and attention has gone in to the drafting and researching of the articles and the detailed editing process. Each person involved in the production of this issue – the authors, student editors, and production staff – exhibited a tremendous level of commitment to producing a high quality and meaningful product. I am confident that this will be on bright display in the articles and notes before you.

The first article, *Mandatory Arrest for Misdemeanor Domestic Violence: Is Alaska's Arrest Statute Constitutional?*, is by Paul A. Clark, a public defender in Ketchikan. Mr. Clark carefully examines Alaska's domestic violence statute, arguing that it includes perhaps the most expansive definition of domestic violence crimes of any such statute in the United States. He argues that the provision requiring arrest for misdemeanor domestic violence impermissibly treads on various protections assured by the Alaska and United States Constitutions. Professor William A. Reppy, Jr. is the author of the second article, *Some Issues Raised by Alaska's Recording Act*. This piece describes Alaska's Race-Notice-type statute for the recording of property interests. Professor Reppy calls into question Alaska Supreme Court decisions interpreting the duties that the statute imposes upon title searchers and speculates about how the digitization of deed indexes might alter those duties. Our third article is by Juneau attorney Jack B. McGee, titled *Subsistence Hunting and Fishing in Alaska: Does ANILCA's Rural Subsistence Priority Really Conflict with the Alaska Constitution?* Mr. McGee explains the perceived tension between the Alaska Constitution's guarantee of "equal access" to natural resources, and the rural subsistence preference required by ANILCA. He argues that there is no tension between the two provisions because ANILCA does not actually create a right to subsistence hunting and fishing belonging exclusively to residents of rural Alaska.

The first note, *A New Answer to an Old Question: Should Alaska Once Again Consider a Unicameral Legislature?*, makes the case that there are certain unique characteristics about Alaska that suggest a unicameral legislature might best serve the state's needs. *One Company, Two Worlds: The Case for Alaska Native Corporations*, a note by Travis G. Buchanan, argues that the participation of native corporations in the 8(a) government contracting program is entirely in keeping with the general

policy of ANCSA.

I hope that you will find the pieces to be helpful to you in your practice, clarifying some rather technical areas of the law. Perhaps even more, I hope that these pieces will spur thought and debate, while advancing the legal discourse in some small fashion.

The staff of the *Alaska Law Review* expresses its personal gratitude to the Alaska Bar Association and all of the attorneys who comprise it for their hospitality on our recent trips to the state. For the first time, we sent separate groups to the state at two different times in 2010, hoping that more frequent visits might make us even more able to stay abreast of legal developments, thereby better serving the Bar. This has proven to be true. We have been amazed by your giving of your time, your insights, and your homes to our students. This kindness has provided all of us with experiences that will remain with us throughout our lives—we are so grateful.

Finally, I'd like to express my gratitude to Professor William A. Reppy, Jr., who was so gracious to provide an article to this issue. Professor Reppy retired from Duke this year after a distinguished career at the school that spanned nearly forty years. For the last twenty-seven years, the *Alaska Law Review* was fortunate enough to have him serve as its faculty advisor. While in this position, Professor Reppy cultivated ties with the state by visiting and was a resource to many editors-in-chief who have come before me. The article that is published here only begins to display the probing analytical reasoning that has earned him so much respect.

Beyond his scholarship and service to the journal, I know that in his four decades teaching, Professor Reppy has touched the lives of many students. I am fortunate enough to be one of those. His teaching has challenged me to understand difficult concepts. His advice has guided my law school career, and I hope will continue to guide me after I leave Duke. His support has provided me with opportunities. His friendship has enriched my years here. I am proud to know him.

I know that very few of you have had the pleasure of meeting Professor Reppy. However, you have seen his influence in the excellent pages of this journal over the last twenty-seven years. It is my hope that in the forthcoming years, the quality of this publication will only increase. If that is so, it will be a testament to his having been a part of this publication. We wish him the very best in retirement.

On behalf of the staff of the *Alaska Law Review*, an excellent group of students who have spent a great deal of time and effort on the pages that follow, I am pleased to present our December 2010 issue.

*Jonathan Ross*